

**Town of Sylvester
Green County, WI
Building Inspection Ordinance #07-19-04**

1.) AUTHORITY

These regulations are adopted pursuant to the general police powers granted under the adoption of village powers in Sections 60.22(3) and 61.34(1) of the Wisconsin State Statutes to regulate, control, license, prevent or permit in the Town of Sylvester certain uses, activities, and constructions for the good order of the Town and for the health, safety, and welfare of the public and specific authority under Section 236.45 of the Wisconsin State Statutes.

2.) PURPOSE

The purpose of this ordinance is to promote the public health, safety and general welfare of the community. This ordinance is designed to regulate the construction of all buildings including additions to and expansion of existing buildings that will be in part or in whole used for human habitation or commercial purposes in the Town of Sylvester.

3.) JURISDICTION

Jurisdiction of these regulations shall include all lands within the Town of Sylvester and shall apply to all buildings constructed for the purpose in part or in whole of human habitation or commercial use after the original effective date of this ordinance.

4.) COMPLIANCE

- a.) No person, firm, corporation, partnership or legal entity of any sort shall construct or expand a building on land located within the Town of Sylvester without compliance with all requirements of this ordinance and with:
- (1) All applicable Wisconsin Statutes;
 - (2) Green County Zoning Regulations regarding building construction;
 - (3) All applicable master plans, zoning ordinances, and any other ordinances and regulations.

Where provisions of this ordinance impose greater restrictions than a.)(1-4) above, it is intended that the provisions of this ordinance shall apply.

5.) GENERAL PROVISIONS

- a.) All persons, firms, corporations, partnerships, or legal entities desiring to construct a building or expand an existing building on land located within Sylvester Township shall have prior approval from the Town Board and the Green County Zoning office. No person shall construct or expand a building for human habitation or commercial use located within the Township without first obtaining a driveway permit or a variance and a building permit from the Township and the County Zoning office.
- b.) The applicant shall contact the Chairman of Sylvester Township to request an application. The Town Chair and/or Board will make arrangements with the applicant to view the proposed driveway and construction site.
- c.) Authorization for construction of buildings and additions described in this ordinance are subject to approval by the Town Board and when so approved, the Town Chairman shall sign the driveway permit and authorize the building permit. The Town Clerk shall then make copies before releasing the document to the applicant.
- d.) It shall be the responsibility of the applicant to take the signed driveway and building permits to the County Zoning office.

A non-refundable fee of \$350.00 shall be paid upon application for the building permit. This fee covers the cost of seven inspections by the Town of Sylvester's designated building inspector. Should the construction project be an expansion or addition to an existing building which requires fewer than seven inspections, the fee will be adjusted accordingly at a fee of \$50.00 per inspection.

6.) APPROVAL

- a.) The Sylvester Town Board shall approve, approve conditionally, or reject a building permit application upon the determination as to its conformance with the provision of this ordinance and other applicable Town ordinances. As a condition of approval, the Town Board may require the landowner to include deed restriction language on any instrument of conveyance.
- b.) No construction shall commence on property having a driveway that does not comply with the provisions of the Town of Sylvester's Driveway Ordinance unless a variance has been granted by the Town Board.

7.) PERMIT LAPSE

Permits issued under this ordinance are valid for one (1) year. If construction does not commence within one year of issuance, the rights granted thereunder shall lapse.

8.) DEFINITIONS

- a.) Town Board – the Sylvester Town Board

9.) PENALTIES

Any person, firm or corporation who fails to comply with the provisions of this ordinance shall, upon conviction, be subject to penalties and forfeitures as provided by the Wisconsin Statutes.

Any person, firm or corporation who fails to comply with the provisions of this ordinance shall be subject to the corrective action outlined by the Town Board which may include but is not limited to removal of the constructed building or addition. All costs incurred in this process will be the responsibility of the property owner and may be assessed to the property owner's real estate tax bill if not paid.

10.) VARIANCES

Variances of the above requirements will need the approval of the Town Board. Nothing in this ordinance removes the applicant's responsibility to be in compliance with any other applicable State, County, or Town ordinances prior to the issuance of the building permit.

11.) ABATEMENT

The Town of Sylvester shall be entitled to abate the violation of this ordinance by any appropriate legal means including obtaining an injunction, declaratory relief or enlisting the aid of enforcement mechanisms available to their governmental agencies. Any building or addition constructed contrary to this ordinance or the provisions of a specific permit issued for its construction shall be removed by the property owner. If the offending building or addition is not removed, the Town of Sylvester may remove it. Any and all costs incurred by the Town in effectuation and abatement shall be paid by the owner of the offending real estate or, if not paid, become a special assessment against the offending real estate.

12.) SEVERABILITY

The provisions of the ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the applicable thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

13.) EFFECTIVE DATE

This ordinance and subsequent amendments shall be effective one day after their publication or posting as required by law.

This ordinance was adopted by the Town Board of Supervisors of the Town of Sylvester at a regular meeting on the 19th day of July 2004 by a vote of three (3) aye and none (0) nay.

Chairman: aye; 1st Supervisor aye; 2nd Supervisor aye



Anna Anderson - Chairman

Terry Reed - First Supervisor

Ron Albright - Second Supervisor

This amended ordinance was filed in the office of the Town Clerk and properly posted as required by law on the 26th day of July 2004.

Alice Ladwig - Town Clerk

Uniform Dwelling Code (UDC) Enforcement Status Survey

Please return to the WI Division of Safety & Buildings, POB 2509, Madison, WI 53701 by July 1, 2000 or as soon as your governing body has chosen one of the options below. (You may also fold the reverse side so that our address fits a window envelope.)
Please Read the Enclosed Materials Before Completing

ALICE LADWIG, CLERK
TOWN OF SYLVESTER
N3671 STATE ROAD 59
MONROE, WI 53566-9584

Municipality Code: 23028

Our Municipality has:

- Adopted the UDC by ordinance (include a copy with this response) and:
 - Hired or contracted with a state-certified inspector or
 - Contracted for inspection services with another municipality or
 - Entered into a joint enforcement arrangement with another municipality
- Delegated enforcement authority to our county, which has accepted it
- Shifted enforcement responsibility by resolution to our county which currently has a county-wide UDC enforcement program for municipalities over 2500 population
- Decided not to take action, which means that the State will attempt to contract out enforcement, beginning in early 2001.
- Adopted a resolution, as follows on the reverse side, that declines any UDC enforcement, including enforcement by the state: (Your municipality will continue to be responsible to issue the Wisconsin Administrative Permit for any new dwellings and then to forward a copy to our agency.)

Completed by: Alice Ladwig Tel: 608/325-4783 Date: JUNE 27, 2000
Clerk/Treas.